

BILL NO. 93-26

COUNTY COUNCIL
OF
HARFORD COUNTY, MARYLAND

AS AMENDED

BILL NO. 93-26 as amended

Introduced by Council President Wilson at the request of the County Executive

Legislative Day No. 93-10 Date April 6, 1993

AN ACT to add new Subsection 2.64 (d), Non-residential, and new Subsection 2.64 (e), Residential, of Subsection 2.64, Use, of Section II, Definitions; and to repeal and reenact with amendments the title of Section IV, Requirements for the Subdivision of Land; and the title of Section V, The Preliminary Subdivision Plan; and to repeal and reenact, with amendments, Section 5.01, Subdivision Procedure, Section 5.02, Information Required, and Section 5.03, Approval Procedure, all of Section V, The Preliminary Subdivision Plan; and to repeal and reenact with amendments Section 6.05, Processing of Final Plat, Section 6.06, Improvement Plans and Specifications, Section 6.07, Construction, Section 6.08, Final Approval, and Section 6.09, Public Release, all of Section VI, The Final Subdivision Plat; all of the Subdivision Regulations of Harford County, providing for the establishment of requirements and standards for the subdivision of land and review of site plans and to provide for a change in the tenure of preliminary plans.

By the Council, April 6, 1993

Introduced, read first time, ordered posted and public hearing scheduled

on: May 4, 1993

at: 6:30 P. M.

By Order: Doris Paulsen, Secretary

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on May 4, 1993, and concluded on, May 18, 1993

Doris Paulsen, Secretary

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.

BILL NO. 93-26

AS AMENDED

Section 1. Be It Enacted By The County Council of Harford County, Maryland that new Subsection 2.64 (d), Non-residential, and new Subsection 2.64 (e), Residential, be added to Subsection 2.64, Use, of Section II, Definitions; and that the title of Section IV, Requirements for the Subdivision of Land; the title of Section V, The Preliminary Subdivision Plan; Section 5.01, Subdivision Procedure, Section 5.02, Information Required, and Section 5.03, Approval Procedure, all of Section V, The Preliminary Subdivision Plan; and Section 6.05, Processing of Final Plat, Section 6.06, Improvement Plans and Specifications, Section 6.07, Construction, Section 6.08, Final Approval, and Section 6.09, Public Release, all of Section VI, The Final Subdivision Plat; all of the Subdivision Regulations of Harford County, be repealed and reenacted, with amendments, all to read as follows:

Subdivision Regulations

Section II. Definitions.

The Following definitions represent the meaning of terms as used in these regulations:

Note: Definitions have been renumbered for clarity. For legal reference, use (number).

2.64. Use.

The purpose or activity for which land, buildings, or structures are designed, arranged, or intended, or for which land, buildings, or structures are occupied or maintained:

a. Use, Business.

Any use listed in the Harford County Zoning Code on Table I, "Principal Permitted Uses", under the categories of amusements, motor vehicle and related services, retail trade, service, or transportation, communications, and utilities (TCU).

b. Use, Industrial.

Any use listed in the Harford County Zoning Code on Table I, "Principal

Permitted Uses", under the categories of industrial uses, warehousing, wholesaling, and processing, and the specific items of mineral extraction and processing uses under the category of natural resource uses.

c. Use, Institutional.

Any use listed in the Harford County Zoning Code on Table I, "Principal Permitted Uses" under the category of institutional.

D. USE, NON-RESIDENTIAL.

ANY USE LISTED IN THE HARFORD COUNTY ZONING CODE ON TABLE I, "PRINCIPAL PERMITTED USES", UNDER THE CATEGORY OF BUSINESS, INDUSTRIAL, INSTITUTIONAL, TRANSIENT HOUSING, OR NATURAL RESOURCES USES WITH THE EXCEPTION OF AGRICULTURE, FORESTRY OR WILDLIFE REFUGE USES.

E. USE, RESIDENTIAL.

ANY USE LISTED IN THE HARFORD COUNTY ZONING CODE ON TABLE I, "PRINCIPAL PERMITTED USES", UNDER THE CATEGORY OF RESIDENTIAL USES.

Section IV. Requirements for the [Subdivision] DEVELOPMENT of Land.

Section V. The Preliminary Subdivision Plan AND/OR SITE PLAN.

5.01. Submission Procedure.

The preliminary plan AND/OR SITE PLAN shall be submitted to the Department of Planning and Zoning for all proposed subdivisions. The preliminary plan AND/OR SITE PLAN shall be complete and shall show the information required in Section 5.02.

5.02. Information Required.

At a minimum, the preliminary plan AND/OR SITE PLAN shall include the following items. Additional information may be required because of site specific conditions.

a. Title Information.

1. Proposed [subdivision] SUBDIVISION/PROJECT name.
2. Names and addresses of owner, subdivision or developer, land planner, surveyor and/or engineer.
3. Location of subdivision by election district, County and state; names of adjacent property owners or adjacent subdivisions.
4. Vicinity maps.
5. Scale; one (1) inch to fifty (50) feet or one (1) inch to one hundred (100) feet.
6. North point and date.
7. Subdivisions utilizing two (2) plats will utilize "match lines" along lot lines; match lines will not be permitted to divide lots.

b. Existing Physical Conditions.

1. Boundary lines of the proposed subdivision, indicated in heavy outline, and the acreage of the tract.
2. Field run or photogrammetric topographic contours, at five (5) foot intervals, referenced to U.S.G.S. datum, where practicable.
3. Soil types according to the Harford County Soil Survey (the location of soils with significant development constraints--highly erodible soils, soils with severe septic constraints, hydric soils is less than forty thousand (40,000) square feet in extent and soils with hydric inclusions--shall be identified).
4. Slopes of fifteen percent (15%) to twenty-five percent (25%).
5. Slopes greater than twenty-five percent (25%).
6. One hundred (100) year flood plain as identified in FEMA Flood Insurance Study.
7. Perennial and intermittent streams and tidal waters located on or adjacent to site.

8. Tidal wetlands.
9. Non-tidal wetlands on or adjacent to site as identified by existence of hydric soils or hydrophytic vegetation and any required buffers.
10. Mapped Natural Resources District and any required buffers.
11. Chesapeake Bay Critical Area and any required buffers.
12. Vegetative cover, particularly the location of forested areas on or adjacent to the site and location of significant individual trees.
13. Plant and wildlife habitat that has been identified as of State or County importance, on or adjacent to the site, including:
 - (a) Habitat of State Designated Endangered or Threatened Species and Species in Need of Conservation.
 - (b) State designated Natural Heritage Areas.
 - (c) Anadromous fish propagation waters.
 - (d) Submerged aquatic vegetation, or other significant aquatic areas.
 - (e) Habitat areas of local significance.
 - (f) Colonial water bird nesting sites.
14. Location, widths of pavement and rights-of-way of all existing streets or alleys adjoining the subdivision, or intersection any street that bounds it; railroads and utility rights-of-way, parks and other public spaces.
15. Names of all existing streets.
16. Location and description of all existing public utilities such as transmission towers, pipe lines, sewer, water, storm drains, gas, power, or telephone lines or cables.
17. Present zoning of the tract and of adjoining properties.
18. Location of all existing structures.
19. Location of wells, septic systems and septic reserve systems on or

1 within one hundred (100) feet of site.

2 c. Proposed Development.

- 3 1. Layout widths and names of proposed streets, and widths of alleys,
4 crosswalkways and easement reservations.
- 5 2. Layout, numbering of blocks and lots, and typical approximate
6 dimensions of proposed lots.
- 7 3. Approximate location and shape of buildings.
- 8 4. Active and passive open space (locations, acreages, and proposed
9 facilities).
- 10 5. Proposed water and sewer lines and facilities.
- 11 6. Proposed building setback lines along all streets with dimensions from
12 the street rights-of-way.
- 13 7. Proposed uses of property AND/OR STRUCTURE.
- 14 8. Number of parking spaces in each off-street parking area and total
15 thereof.
- 16 9. Conceptual grading plan, including approximate limits of disturbance
17 and areas of significant cut and fill.
- 18 10. Proposed method(s) of stormwater management and location of
19 facilities/measures for each drainage area in development, including
20 sufficient information on soil and hydrologic conditions so that the
21 viability of the proposed measures can be accurately determined.
- 22 11. Drainage and utility easements.
- 23 12. Density of residential development.
- 24 13. Areas of significant/special natural features to be left undisturbed,
25 including, but not limited to feature such as, waterbodies, tidal and
26 non-tidal wetlands, forested areas to be retained, and plant and wildlife
27 habitat identified as of State or County importance.

14. LOCATION OF ALL PARKING AND LOADING AREAS WITH INGRESS
AND EGRESS DRIVES THERETO (SITE PLAN).

15. LOCATION OF OUTDOOR STORAGE (IF ANY).

16. NUMBER OF PROPOSED EMPLOYEES (SITE PLAN).

17. LOCATION AND TYPES OF TREES OR SHRUBS TO BE PLANTED IN
THE PARKING AREA (SITE PLAN).

18. LOCATION, SIZE AND HEIGHT OF SIGNS (SITE PLAN).

19. ON-SITE TRAFFIC FLOW PATTERNS AND SIGNAGE (SITE PLAN).

20. BUFFERYARD FROM ADJACENT RESIDENTIAL USE OR DISTRICTS.

21. REVISIONS TO THE PREVIOUS SERIES OF THE PRELIMINARY PLAN
AND THE DATE(S) OF THE REVISION.

D. COMPUTATION (SITE PLAN).

1. TOTAL SITE AREA.

2. BUILDING FLOOR AREA FOR EACH TYPE OF PROPOSED USE.

3. PERCENT OF BUILDING GROUND COVERAGE.

4. PERCENT OF IMPERVIOUS SURFACE.

5. PROPOSED WATER USAGE INCLUDING FIRE FLOWS, PEAK HOURLY
DEMAND AND MAXIMUM DAY DEMAND AS REQUIRED.

6. SEWAGE GENERATION RATE.

[d]E. Forest Conservation Plans for Chesapeake Bay Critical Area Property.

For projects in the Chesapeake Bay Critical Area, a forest conservation plan shall be submitted delineating the tree species composition of forested areas, including the average DBH of canopy trees and description of the understory and ground cover; forested areas to be retained to address clearing restrictions in the Critical Area and to preserve significant plant and wildlife habitat and to maintain wildlife corridors; and proposed measures for afforestation(*sic.*), if required.

1 **5.03 Approval Procedure.**

2 a. The Development Advisor Committee (DAC) is established to advised the
3 Director of Planning and Zoning regarding major subdivisions and other
4 large-scale developments. Representatives from County and state agencies
5 shall be members of the Development Advisory Committee. Membership
6 shall include, but not be limited to:

7 (1) Department of Planning and Zoning.

8 (2) Department of Public Works.

9 (3) Health Department.

10 (4) Department of Parks and Recreation.

11 (5) Soil Conservation District.

12 (6) Maryland Forest, Park and Wildlife Service.

13 (7) Board of Education.

14 (8) State Highway Administration.

15 (9) Fire and Ambulance Chiefs Association.

16 (10) Public Utility companies.

17 The Development Advisory Committee shall adopt bylaws to facilitate
18 the review process. Meeting of the Development Advisory Committee shall
19 be open to the general public.

20 b. [Preliminary plans for major subdivisions and commercial/industrial
21 subdivisions shall be distributed to the members of the Development
22 Advisory Committee for review. Comments regarding the plans shall be
23 provided to the Department of Planning and Zoning in writing and discussed
24 at the Development Advisory Committee meeting.]

25 PRELIMINARY PLANS FOR RESIDENTIAL SUBDIVISIONS OF MORE THAN
26 FIVE (5) LOTS AND COMMERCIAL/INDUSTRIAL SUBDIVISIONS, AND SITE
27 PLANS FOR NON-RESIDENTIAL AND MULTI-FAMILY HOUSING USES

1 SHALL BE DISTRIBUTED TO THE MEMBERS OF THE DEVELOPMENT
2 ADVISORY COMMITTEE FOR REVIEW. COMMENTS REGARDING THE
3 PLANS SHALL BE PROVIDED TO THE DEPARTMENT OF PLANNING AND
4 ZONING IN WRITING AND DISCUSSED AT THE DEVELOPMENT ADVISORY
5 COMMITTEE MEETING.

6 c. Approval of the preliminary plan AND/OR SITE PLAN shall be set forth in a
7 letter from the Department of Planning and Zoning. This letter may include
8 such conditions as are necessary to meet the standards of the Zoning Code
9 and Subdivision Regulations, and must be countersigned by the developer
10 and returned to the Department of Planning and Zoning within forty-five
11 (45) days.

12 d. Tenure of Preliminary Plans. ~~Preliminary plans shall be valid for [one (1)~~
13 ~~year] TWO YEARS. [Extensions may be approved upon receipt of a request~~
14 ~~in writing, with such request to be received within thirty (30) days prior to~~
15 ~~the one (1) year from date of the original approval or extension or prior~~
16 ~~approvals. No more than five (5) such additional extensions will be granted~~
17 ~~without a new review and approval of the preliminary plan. Recordation of~~
18 ~~lots on any portion of the area covered by the preliminary plan will~~
19 ~~automatically extend the approval and continue the validity of the~~
20 ~~preliminary plan on the unrecorded portion for an additional year.]~~

21 (1) A PRELIMINARY PLAN APPROVED BEFORE THE EFFECTIVE DATE OF
22 COUNCIL BILL 93-26 IS VALID FOR 1 YEAR. THE DEPARTMENT OF
23 PLANNING AND ZONING MAY GRANT UP TO 5 1-YEAR EXTENSIONS
24 OF THE PLAN, WITHOUT A NEW REVIEW AND APPROVAL OF THE
25 PLAN, PROVIDED THAT:

26 (a) A WRITTEN REQUEST FOR AN EXTENSION IS FILED WITH THE
27 DEPARTMENT OF PLANNING AND ZONING AT LEAST 60 DAYS

1 BEFORE THE DATE ON WHICH THE PLAN'S PREVIOUS
2 APPROVAL WILL EXPIRE; AND

3 (b) THE DEVELOPMENT PROPOSED BY THE PLAN MEETS THE
4 ADEQUATE PUBLIC FACILITIES REQUIREMENTS ESTABLISHED
5 BY § 267-104 OF THE HARFORD COUNTY CODE.

6 (2) EXTENSION OF A PLAN'S APPROVAL UNDER PARAGRAPH (1) OF
7 THIS SUBSECTION SHALL NOT BE GRANTED IF THE DEVELOPMENT
8 PROPOSED BY THE PLAN DOES NOT MEET THE ADEQUATE PUBLIC
9 FACILITIES REQUIREMENTS OF § 267-104 OF THE HARFORD
10 COUNTY CODE. IF EXTENSION OF THE PLAN CANNOT BE
11 APPROVED DUE TO INADEQUACY OF PUBLIC FACILITIES, THE PLAN
12 SHALL BE PLACED ON THE WAITING LIST ESTABLISHED UNDER
13 § 267-104 OF THE HARFORD COUNTY CODE AND PROCESSED IN
14 ACCORDANCE WITH § 267-104. PLACEMENT OF A PLAN ON THE
15 WAITING LIST DOES NOT DEPRIVE THE PLAN OF ANY OF THE 1-
16 YEAR EXTENSIONS AVAILABLE FOR THE PLAN AND DOES NOT
17 REQUIRE A NEW REVIEW AND APPROVAL OF THE PLAN.

18 (3) RECORDATION OF LOTS ON ANY PORTION OF THE AREA COVERED
19 BY A PRELIMINARY PLAN APPROVED BEFORE THE EFFECTIVE DATE
20 OF COUNCIL BILL 93-26 AUTOMATICALLY EXTENDS THE PLAN'S
21 APPROVAL AND CONTINUES TO VALIDITY OF THE PLAN FOR THE
22 UNRECORDED PORTION FOR AN ADDITIONAL YEAR. EXTENSION OF
23 A PLAN'S APPROVAL BY THIS METHOD COUNTS AS 1 OF THE 5
24 EXTENSIONS ALLOWED UNDER PARAGRAPH (1) OF THIS
25 SUBSECTION.

26 (4) A PRELIMINARY PLAN APPROVED ON OR AFTER THE EFFECTIVE
27 DATE OF COUNCIL BILL 93-26 IS VALID FOR 2 YEARS. THE

DEPARTMENT OF PLANNING AND ZONING MAY GRANT AN
EXTENSION OF THE PLAN IN ACCORDANCE WITH SUBSECTION e OF
THIS SECTION.

AFTER TWO YEARS FROM THE DATE OF THE ORIGINAL APPROVAL, REMAINING
UNRECORDED LOTS ON ANY PORTION OF THE AREA COVERED BY THE
PRELIMINARY PLAN SHALL BE DEEMED NULL AND VOID, AND SHALL MEET THE
ADEQUATE PUBLIC FACILITIES REQUIREMENTS ESTABLISHED IN THE ZONING
CODE PRIOR TO AGAIN OBTAINING PRELIMINARY PLAN APPROVAL.

E. EXTENSION. UPON A WRITTEN REQUEST AND CAREFUL REVIEW, A
ONE-TIME, TWO-YEAR EXTENSION OF THE PRELIMINARY APPROVAL
MAY BE GRANTED BY THE ZONING ADMINISTRATOR SUBJECT TO THE
FOLLOWING: EITHER OF THE FOLLOWING CONDITIONS:

~~1. THE PROJECT SHALL CONTAIN TWO HUNDRED (200) LOTS/UNITS
OR MORE;~~

~~2~~ 1.A. THE SUBDIVIDER HAS EXECUTED AN AGREEMENT WITH THE
COUNTY FOR OFF-SITE AND/OR ON-SITE FACILITIES
IMPROVEMENTS BEYOND THE REQUIRED, STANDARD ON-SITE
ROADS AND UTILITIES AGREEMENTS; AND

~~3~~ 1.B. A PERFORMANCE BOND FOR THE ADDITIONAL/AGREED-TO
FACILITIES IMPROVEMENTS HAS BEEN POSTED BY THE
~~SUBDIVIDER.~~ SUBDIVIDER; OR

2.A. AS A RESULT OF THE CAPACITY ALLOCATED TO THE
SUBDIVISION REQUESTING THE EXTENSION, THERE IS NO
SUBDIVISION/SITE PLAN ON THE WAITING LIST ESTABLISHED BY
THE DEPARTMENT OF PLANNING AND ZONING IN ACCORDANCE
WITH THE CONDITIONAL REVIEW PROVISIONS OF SECTION 267-
104, ADEQUATE PUBLIC FACILITIES, OF THE ZONING CODE; AND

1 2.B. FINDINGS OF ADEQUATE PUBLIC FACILITIES BASED ON THE
2 STANDARDS SET IN SECTION 267-104, ADEQUATE PUBLIC
3 FACILITIES, OF THE ZONING CODE, HAVE BEEN ESTABLISHED.

4 SUCH WRITTEN REQUEST SHALL BE RECEIVED BY THE ZONING
5 ADMINISTRATOR ~~WITHIN THIRTY~~ AT LEAST SIXTY DAYS PRIOR TO THE
6 EXPIRATION OF THE ORIGINAL APPROVAL.

7 F. TENURE OF SITE PLANS. SITE PLANS SHALL BE VALID FOR TWO YEARS
8 AND SHALL BE DEEMED NULL AND VOID AT THE END OF SUCH PERIOD
9 UNLESS BUILDING PERMIT APPLICATION HAS BEEN FILED.

10 G. WAIVER OF SITE PLAN APPLICATION. THE DIRECTOR OF PLANNING
11 MAY WAIVE THE REQUIREMENT FOR SITE PLAN APPROVAL WHERE
12 THERE IS A CHANGE IN USE OR OCCUPANCY AND NO EXTENSIVE
13 CONSTRUCTION OR IMPROVEMENTS IS PROPOSED. THE WAIVER MAY
14 BE GRANTED ONLY UPON A DETERMINATION BY THE DIRECTOR OF
15 PLANNING THAT THE USE WILL NOT AFFECT EXISTING DRAINAGE,
16 CIRCULATION, RELATIONSHIP OF BUILDINGS TO EACH OTHER,
17 LANDSCAPING, BUFFERING, LIGHTING, AND OTHER CONSIDERATIONS
18 OF SITE PLAN APPROVAL, AND THE EXISTING FACILITIES DO NOT
19 REQUIRE UPGRADED OR ADDITIONAL SITE IMPROVEMENTS. THE
20 APPLICATION FOR A WAIVER OF SITE PLAN SHALL INCLUDE A
21 DISCUSSION OF THE PRIOR USE OF THE SITE, THE PROPOSED USE, AND
22 ITS IMPACT.

23 H. PHASING. FOR DEVELOPMENT EXCEEDING TWO HUNDRED LOTS OR
24 UNITS, A PHASING ~~SCHEDULES~~ SCHEDULE SHALL BE SUBMITTED BY
25 THE SUBDIVIDER. SUCH PHASING SCHEDULE SHALL BE INCORPORATED
26 IN THE CONCEPT PLAN APPROVAL FOR PROJECTS REQUIRING CONCEPT
27 PLAN APPROVAL.

1 Section VI. The Final Subdivision Plat.

2 [6.05. Processing of Final Plat.

3 The Department of Planning and Zoning shall route the final plat to all
4 appropriate agencies for review and signature. Upon signature by the County
5 Executive, the plat shall be taken to the Harford County Land Records for recordation
6 by the engineer or authorized party along with the appropriate agreements and
7 documents.

8 6.06. Improvement Plans and Specifications.

9 Prior to or coincident with the Final Plat, the Subdivider shall prepare and
10 submit to the Commission plans for the installation of improvements in accordance
11 with the regulations and specifications contained in Section IV hereof. Such plan shall
12 be sufficient to show the proposed locations, size, type, grade, elevation and other
13 significant characteristics of each improvement. Copies of the improvement plans will
14 be referred by the Commission to the appropriate Department of Town Officials for
15 checking and approval. Such plans shall then be returned to the Commission which
16 shall notify the Subdivider of such approval.

17 Upon written request of a Subdivider, this section may not apply to certain
18 subdivisions of land into lots or parcels of three and one half (3 1/2) acres or more,
19 if approved by the Commission; if so approved, the contracts, deeds and plats
20 affecting such subdivisions shall specify that the streets or roads, leading to and
21 within the subdivision shall be private streets or roads, not subject to improvement
22 and maintenance by the County; and that in no case shall said streets or roads be laid
23 out with a right-of-way width of less than fifty (50) feet.

24 6.07. Construction.

25 Upon being notified in writing that the improvement plans have been approved,
26 the Subdivider may proceed with the installation of such improvements or, in lieu of
27 this, he may post with the County Commissioners a Performance Bond and Payment

Bond running to the County in an amount sufficient to cover the cost of any or all of the improvements as estimated by the officials having jurisdiction, to insure the actual construction and installation of such improvements within a time limit. A partial release may be approved for any part or all of the improvements upon satisfactory completion and acceptance by the officials having jurisdiction. The Board of County Commissioners shall, in event of questions concerning the amount of bond required, make a final decision on the amount and type of bond or guarantee based on at least two estimates made for the improvements to be accomplished.

6.08. Final Approval.

Upon completion and acceptance by the County of the required improvements, or the execution of a satisfactory bond as provided above, the Commission will approve the Final Plat, and will enter such approval on each copy of the plat in writing by its Chairman and Secretary, provided that the Final Plat is found to conform with the Preliminary Plan as tentatively approved, and is otherwise in conformity with the requirements of these regulations.

If a Subdivider desires approval of a Final Plat for the recording thereof prior to the completion of, or acceptance by the County of the required improvements, a Subdivision Agreement shall be executed by the Subdivider, accepted by the Board of County Commissioners, and the translucent tracing cloth copy of the Plat shall be filed with the Clerk of the Circuit Court of Harford County, and the Secretary of the Commission shall distribute the prints as follows:

Supervisor of Assessments	2
County Health Department	2
County Highways Department	1
Planning and Zoning Commission	2
*Town and Planning Commissions)	1

(*If subdivision lies within a mile of town or city)

One of the Planning and Zoning Commission's copies shall be signed and returned to the Subdivider.

If the Subdivider has followed the provisions of these Subdivision Regulations, the Commission and the County Commissioners shall approve the Final Plat and endorse their approval thereon for recordation.

Should the Commission consider refusing approval of any submitted plat, a conference between the Commission and the County Commissioners shall be held before the final decision is given the Subdivider.

6.09. Public Release.

Upon satisfactory completion and acceptance of the public improvements required in Section IV, the County Commissioners shall accept, by duly executed deed, the lands (together with their improvements) reserved for roads or streets upon which improvements have been completed and accepted.

Acceptance of Stub Roads (for which construction improvements are not required) will be according to the procedure outlined in Section 6.09 of the Subdivision Regulations.]

6.05. IMPROVEMENT PLANS AND SPECIFICATIONS.

PRIOR TO APPROVAL OF THE FINAL PLAT, THE SUBDIVIDER SHALL PREPARE AND SUBMIT TO THE DEPARTMENT OF PUBLIC WORKS PLANS FOR THE CONSTRUCTION OF ALL REQUIRED IMPROVEMENTS, INCLUDING WATER AND SEWER LINES AND FACILITIES, PUBLIC ROADS AND ROAD IMPROVEMENTS, STORM DRAINS AND STORMWATER MANAGEMENT FACILITIES. SUCH PLANS SHALL MEET THE APPROPRIATE DESIGN GUIDELINES AS ESTABLISHED IN THE RULES AND REGULATIONS OF THE DEPARTMENT OF PUBLIC WORKS AND IN THE HARFORD COUNTY CODE, AS AMENDED.

IN THOSE SITUATIONS WHERE THE PRELIMINARY PLAN APPROVAL LETTER HAS APPROVED THE USE OF PRIVATE ROADS, THE FINAL PLATS SHALL CLEARLY

1 INDICATE THAT THE ROADS ARE PRIVATE AND SHALL BEAR THE NOTE "THE
2 DEPARTMENT OF PUBLIC WORKS SHALL NOT IMPROVE OR MAINTAIN PRIVATE
3 ROADS."

4 **6.06. CONSTRUCTION OF IMPROVEMENTS OR POSTING OF BONDS.**

5 UPON THE APPROVAL OF THE CONSTRUCTION DRAWINGS BY THE
6 DEPARTMENT OF PUBLIC WORKS, THE SUBDIVIDER MAY PROCEED WITH THE
7 CONSTRUCTION OF ALL IMPROVEMENTS. IN LIEU OF COMPLETING
8 CONSTRUCTION PRIOR TO RECORDATION OF FINAL PLATS AND ISSUANCE OF
9 BUILDING PERMITS, THE SUBDIVIDER MAY POST A PERFORMANCE GUARANTEE
10 IN A FORM ACCEPTABLE TO THE COUNTY AND IN AN AMOUNT SUFFICIENT TO
11 COVER THE COST OF ANY OR ALL OF THE REQUIRED IMPROVEMENTS AS
12 DETERMINED BY THE DEPARTMENT OF PUBLIC WORKS.

13 **6.07. PROCESSING OF FINAL PLAT.**

14 a. THE DEPARTMENT OF PLANNING AND ZONING SHALL ROUTE THE FINAL
15 PLAT TO ALL APPROPRIATE AGENCIES FOR REVIEW AND SIGNATURE.
16 UPON SIGNATURE BY THE COUNTY EXECUTIVE, THE PLAT SHALL BE
17 TAKEN TO THE HARFORD COUNTY LAND RECORDS FOR RECORDATION
18 BY THE ENGINEER OR AUTHORIZED PARTY ALONG WITH THE
19 APPROPRIATE AGREEMENTS AND DOCUMENTS.

20 b. IF A SUBDIVIDER DESIRES APPROVAL OF A FINAL PLAT IN ORDER TO
21 RECORD THE PLAT BEFORE COMPLETION OR ACCEPTANCE BY THE
22 COUNTY OF THE REQUIRED IMPROVEMENTS, THE SUBDIVIDER AND THE
23 COUNTY SHALL EXECUTE A SUBDIVISION AGREEMENT, AND THE
24 TRANSLUCENT TRACING CLOTH COPY OF THE PLAT SHALL BE FILED
25 WITH THE CLERK OF THE CIRCUIT COURT OF HARFORD COUNTY, AND
26 THE PRINTS SHALL BE DISTRIBUTED AS FOLLOWS:

27 1. SUPERVISOR OF ASSESSMENTS

2

1 2. COUNTY HEALTH DEPARTMENT 2

2 3. COUNTY HIGHWAYS DEPARTMENT 1

3 4. DEPARTMENT OF PLANNING AND ZONING 2

4 5. TOWN AND PLANNING COMMISSIONS 1

5 (IF SUBDIVISION LIES WITHIN A MILE OF TOWN OR CITY)

6 c. ONE OF THE PLANNING AND ZONING COPIES SHALL BE SIGNED AND
7 RETURNED TO THE SUBDIVIDER.

8 d. IF CAPACITY FOR PUBLIC FACILITIES HAS BEEN ALLOCATED
9 PREVIOUSLY FOR THE SUBDIVISION, THE ALLOCATION SHALL EXPIRE
10 2 YEARS AFTER THE DATE OF THE EXECUTION OF THE SUBDIVISION
11 AGREEMENT.

12 6.08. **ACCEPTANCE OF IMPROVEMENTS.**

13 UPON SATISFACTORY COMPLETION AND ACCEPTANCE OF THE REQUIRED
14 PUBLIC IMPROVEMENTS, PERFORMANCE GUARANTEES SHALL BE RELEASED AND
15 ANY REQUIRED MAINTENANCE BONDS POSTED. THE SUBDIVIDER SHALL DEED
16 THE ROADS TO HARFORD COUNTY IN FEE SIMPLE.

17 Section 2. And Be It Further Enacted that this Act shall take effect sixty (60)
18 calendar days from the date it becomes law.

EFFECTIVE: August 10, 1993

HARFORD COUNTY BILL NO. 93-26 (as amended)

(Brief Title) Adeg. Pub. Facs. - Sub. Rules & Regs.

is herewith submitted to the County Council of Harford County for enrollment as being the text as finally passed.

CERTIFIED TRUE AND CORRECT

ENROLLED

Doris Poulsen
Secretary of the Council

[Signature]
President of the Council

Date June 8, 1993

Date June 8, 1993

BY THE COUNCIL

Read the third time.

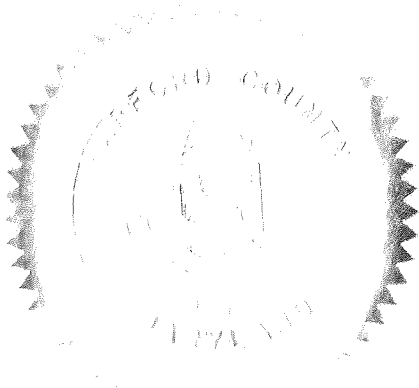
Passed: LSD 93-18 (June 8, 1993)

Failed of Passage: _____

By Order

Doris Poulsen, Secretary

Sealed with the County Seal and presented to the County Executive for approval this 9th day of June, 1993 at 3:00 p. m.



Doris Poulsen, Secretary

BY THE EXECUTIVE

Eileen M. Lehmann
COUNTY EXECUTIVE

APPROVED: Date June 11, 1993

BY THE COUNCIL

This Bill (No. 93-26, as amended), having been approved by the Executive and returned to the Council, becomes law on June 11, 1993.

Doris Poulsen, Secretary

EFFECTIVE DATE: August 10, 1993